

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA ) Crim. No. 10-mj-172 LTS  
                                )  
                                )  
v. )  
                                )  
MATTHEW J. KUC )  
                                )  
Defendant )  
                                )  
                                )

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**GOVERNMENT'S RESPONSE TO DEFENDANT'S SECOND  
MOTION TO MODIFY CONDITIONS OF RELEASE AND  
ASSENTED-TO MOTION TO EXTEND TIME TO FILE FURTHER RESPONSE**

The government files this response to update the Court on counsels' negotiations regarding the defendant's second motion for modification of the terms of his release and seeks a one week extension, until Wednesday, January 19, 2011, to file a further response.

Since the defendant filed his second motion to modify conditions of release, the government obtained seizure warrants for two of the four cars that the defendant posted as bond – the two cars that, by way of his motion, the defendant sought to sell – and arranged with defense counsel to take possession of the cars. The government also obtained seizure warrants for several bank accounts into which the defendant had deposited fraudulent proceeds.

Also since the government's last filing in this matter, the government and defense counsel, Mr. Sheketoff, have been discussing the status of the defendant's other two cars – which also were posted as bond – as well as the seizure of certain bank accounts and the source of the \$50,000 that the defendant used to post the cash bond. The parties intend to continue discussing these matters, at least some of which relate to the defendant's second motion to modify the conditions of his release.

Accordingly, the government requests an additional week – until January 19, 2011 – to continue these negotiations and file a further response before the Court rules on the defendant's motion. Defense counsel assents to the request to extend the time for the government's further response.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney  
By: */s/ Sarah E. Walters*  
Scott L. Garland  
Sarah E. Walters  
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

*/s/ Sarah E. Walters*  
Assistant United States Attorney

Dated: January 12, 2011